

## CALFRESH (CF) PROGRAM REQUEST FOR POLICY/REGULATION INTERPRETATION

**INSTRUCTIONS:** Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. Retain a copy of the CF 24 for your records.

- Questions from counties, including county Quality Control, must be submitted by the county CalFresh Coordinator and may be submitted directly to the CalFresh Policy analyst assigned responsibility for the county, with a copy directed to the appropriate CalFresh Policy unit manager.
- Questions from Administrative Law Judges may be submitted directly to the CalFresh Policy analyst assigned responsibility to the county where the hearing took place, with a copy of the form directed to the appropriate CalFresh Bureau unit manager.

1. RESPONSE NEEDED DUE TO: <input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input type="checkbox"/> Other:	5. DATE OF REQUEST: 5-24-12	NEED RESPONSE BY: ASAP :)
2. REQUESTOR NAME:	6. COUNTY/ORGANIZATION: Contra Costa County, Employment and Human Services	
3. PHONE NO.:	7. SUBJECT: Elderly / Disabled HH	
4. REGULATION CITE(S): MPP 63-102 (c) (11) (QR); 63-503.323, 63-505.213	8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references) <b>NOTE: All requests must have a regulation cite(s) and/or a reference(s).</b>  ACL 11-05	

9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):

While ACL 11-05 provides the definition of an elderly and or disabled household (HH) member, it does not mention anything about earned income or the reporting method for the HH. I am seeking clarification of both...

#1. Does the type of income make a difference when to NOT apply the gross income test.

Is the gross income test applied to the HH when the elderly and or disabled HH member has earned income?

#2. When there is "ANY" HH member that has been determined to be elderly and or disabled, is it a Change Reporting (CR) or Quarterly Reporting HH?

10. REQUESTOR'S PROPOSED ANSWER:

Answer: MPP 63-505.213 indicates elderly and or disabled HHs with NO earned income are exempt from QR.

MPP 63-102 (c) (11) (QR) indicates that the HH must include ALL elderly or ALL homeless HH in order to qualify as a CR HH. The ALL has become ANY now. So still applicable.

Example a: HH consists of a 55 year old woman who meets the definition of a disabled HH member and has disability based income. Her 18 year old son also resides in the home and has income of his own. As the HH has "a member" who meets the definition there is no gross income test applied.

Example b: If the only income to the HH belonged to the 18 year old there is NO gross income test as the HH has "a member" who meets the definition.

In addition, if the HH has a disabled member in it there is no QR 7 requirement as the HH is change reporting.

11. STATE POLICY RESPONSE (CFPB USE ONLY):

The State is in agreement with the above proposed answer. Based on the above scenario, the 130 percent gross income test is not applied for households with an elderly and/or disabled household member. Counties must make certain that automated systems reflect this new policy and are instructed to note the change from "all" to "a" elderly or disabled member as stated in ACL 11-05 and MPP 63-503.323.

Additionally, if an elderly/disabled household in which all adults are elderly/disabled, and do not have earnings, then the household would be Change Reporting (CR). If any adult member has earnings, the household would be subject to Quarterly Reporting (QR). Current state regulations at 63-102(c) (11) do not reflect this change; however CDSS is in the process of amending state regulations to reflect this change.

### FOR CDSS USE

DATE RECEIVED:	DATE RESPONDED TO COUNTY/ALJ:
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